

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>STUDENT RESOURCE CENTER, LLC,</b>	:	
	:	
<b>Plaintiff,</b>	:	<b>Case No. 2:22-cv-2653</b>
	:	
<b>v.</b>	:	<b>Judge Algenon L. Marbley</b>
	:	
<b>EASTERN GATEWAY COMMUNITY</b>	:	<b>Magistrate Judge Chelsey M. Vascura</b>
<b>COLLEGE,</b>	:	
	:	
<b>Defendant.</b>	:	

**ORDER**


This matter comes before this Court on the Ohio Auditor of State Keith Faber’s request to stay proceedings pending “the Auditor’s active investigation involving [Defendant] Eastern Gateway Community College and related individuals and entities.” (ECF No. 165). On December 12, 2024, this Court held a status conference on the Motion. Counsel for Plaintiff Student Resource Center (“SRC”), Defendant Eastern Gateway Community College (“EGCC”), Intervenor-Defendant Board of the Jefferson County Commissioners (the “Board”), and Interested-Party Ohio Auditor of State (“State Auditor”), as represented by the Ohio Attorney General’s Office, were all present. At the status conference, SRC indicated it opposes the State Auditor’s motion; EGCC indicated it consents to the motion; and the Board indicated that it takes no position on the motion. Following those discussions, this Court continued oral argument on SRC’s Motion for Summary Judgment (ECF No. 85), currently scheduled for December 16, 2024, and invited the parties to brief the propriety of a stay on an expedited basis. This Court now memorializes its oral rulings as follows.

SRC, EGCC, and the Board are each **ORDERED** to file their responses to the State Auditor’s Motion for a Stay (ECF No. 165) **no later December 18, 2024, at 12:00 p.m.** Any

replies shall be filed simultaneously **no later than December 20, 2024 at 5 p.m.** The parties' briefing shall address: any overlap in issues between this federal action and the ongoing state court litigation and state audit investigation (collectively, "State Proceedings"); any impact the State Proceedings is anticipated to have on this Court's forthcoming summary judgment decision (including any assessment of damages); the applicability of federal court abstention doctrines, *see e.g., Colo. River Water Conservation Dist. v. United States*, 424 U.S. 800 (1976); and all other relevant factors this Court should consider in determining whether to issue a stay, as a matter of comity or otherwise. The parties' submissions shall include citations to the applicable case law and other legal authority to support their respective positions.

In light of the above directive, oral argument on SRC's Motion for Summary Judgment (ECF No. 85) is hereby **CONTINUED** to **Friday, December 27, 2024, at 10:00 a.m.** As indicated at the status conference, in the event this Court decides to stay proceedings, oral argument on SRC's Motion for Summary Judgment (ECF No. 85) will be continued until the stay is lifted.

**IT IS SO ORDERED.**

  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT JUDGE**

**DATE: December 13, 2024**